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Approved For Release 2005/06/06 : CIA-RDP79M00467A001100190007-3

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WASHINGTON, D. C. 20505

13 OCT 1976

Intelligence Community Staff

Copy ____ of 7

MEMORANDUM FOR: Director of Central Intelligence

FROM:

Deputy to the DCI for the Intelligence Community

SUBJECT: Restrictions on Electronic Surveillance
in the Foreign Intelligence Field

1. You asked that I prepare the response to the attached 13 July 1976 request from Brent Scowcroft regarding the impact on signals intelligence activities of Executive Order 11905 and the detailed restrictions drawn up by the Attorney General to implement its provisions.

2. In developing our proposed response, we consulted with all the intelligence elements of the concerned U.S. departments and agencies (CIA, DIA, NSA, State, Treasury, DEA, Coast Guard, FBI, NRO, and the D/DCI/NI). Extensive inputs were obtained from all elements.

3. It should be noted that the study approaches the problem from the intelligence viewpoint and does not represent judgments as to the legal implications of the recommendations. I believe that such judgments should more appropriately be addressed by the NSC staff with the Justice Department.

4. Notwithstanding the short time available for this most extensive review, I believe that the appended report quite satisfactorily encompasses the significant impacts of the Executive Order and the Attorney General's guidelines on SIGINT operations.

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5. I recommend you approve the report for transmittal to Brent Scowcroft.

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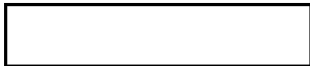
Admiral, USN
D/DCI/IC

Attachment
a/s

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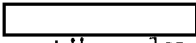
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Note: The attachment is a TOP SECRET SENSITIVE document which was circulated to all of the above distribution as  Series C on 23 Jul 76. The "appended report" only distributed to DCI, D/DCI/IC, D/OPEI and SIGINT Division; it will receive a wider distribution upon approval of the DCI.

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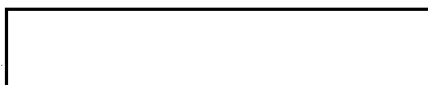
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THE DIRECTOR OF CENTRAL INTELLIGENCE
WASHINGTON, D. C. 20505

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18 OCT 1976

MEMORANDUM FOR: The Honorable Brent Scowcroft
Assistant to the President for
National Security Affairs

FROM: George Bush

SUBJECT: Restrictions on Electronic Surveillance
in the Foreign Intelligence Field

TS 76 0013 - 7C
E-21

1. Your memorandum of 13 July 1976, subject as above, requested that a thorough analysis be conducted by the Intelligence Community of the impact of Executive Order 11905 and the detailed restrictions drawn up to implement its provisions on the effective collection, dissemination and use of foreign intelligence derived from electronic intercept and surveillance techniques.

2. The attached report, prepared by the Intelligence Community Staff in concert with representatives of all affected agencies in the Community, details the impact on signals intelligence collectors, analysts and consumers. No problems were identified which would seriously impair our present ability to produce meaningful foreign signals intelligence on economic, political and military matters of significant importance to the maintenance of national security or the effective conduct of foreign policy, nor which would impair our present ability to predict foreign crises. There remain, however, several problem areas such as in the collection and analysis of economic intelligence and possibly on such subjects as intelligence related to the transfer of advanced technology to potential adversaries.

3. The most serious of the remaining problems involve SIGINT support to narcotics intelligence and protective intelligence activities, as well as the general question of intelligence support to law enforcement agencies. These and lesser problems are detailed in the report and appropriate recommendations are provided.

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4. This report relates solely to existing directives and guidelines for foreign intelligence-related SIGINT operations and does not consider pending legislation in the area of electronic surveillance within the United States, which is the subject of a separate, ongoing review by the Intelligence Community Staff.

5. Please also note that the study approaches the problem from the intelligence viewpoint and does not represent judgments as to the legal implications of the recommendations. I believe that such judgments should more appropriately be addressed by the NSC Staff with the Justice Department.

6. I intend to charge the Intelligence Community Staff with the responsibility of examining closely any future changes that may be issued by the Attorney General to his guidelines for the conduct of SIGINT operations and to report to me any significant impacts on the collection, dissemination and use of foreign intelligence and counterintelligence-related information.

/s/ George Bush

George Bush

Attachment:
As stated

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IMPACT OF EXECUTIVE ORDER 11905
AND IMPLEMENTING GUIDELINES
ON SIGNALS INTELLIGENCE ACTIVITIES
OF THE UNITED STATES

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MEMORANDUM FOR:

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DCI Executive Registry

Inasmuch as SA/D/DCI/IC maintains the DCI record files on this subject, I recommend that the DCI and ER copies of this letter be returned to me for file. I will provide a blind filler to ER.

Date 9/9/76

FORM 101 USE PREVIOUS EDITIONS

Not to be
Zeroed

For Mr. Evans, ER will be
allowed to retain a file copy.
19 Oct

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